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HOUSE MEMORIAL 62

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Terry T. Marquardt

A MEMORIAL

CALLING ON THE DEPARTMENT OF TRANSPORTATION AND THE STATE
TRANSPORTATION COMMISSION TO STRICTLY AND RIGOROUSLY ENFORCE
THE PROVISIONS OF THE HIGHWAY BEAUTIFICATION ACT PERTAINING TO
JUNKYARDS IN ORDER TO KEEP NEW MEXICO'S HIGHWAYS AND VISTAS
BEAUTIFUL.

WHEREAS, stunning mountain ranges, scenic wilderness areas
and picturesque state parks make New Mexico's natural beauty
famous; and

WHEREAS, beautification of New Mexico's landscape is vital
to maintaining New Mexico's reputation as the land of
enchantment; and

WHEREAS, the visibility of junkyards from New Mexico's
highways is damaging to the quality of life of residents and to
New Mexico's image across the nation and around the world; and

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1 WHEREAS, the legislature of the state of New Mexico
2 enacted the Highway Beautification Act in order to promote
3 public safety, health, welfare, convenience and enjoyment of
4 public travel, to protect the public investment in public
5 highways and to preserve and enhance the scenic beauty of lands
6 bordering public highways; and

7 WHEREAS, pursuant to the Highway Beautification Act, it is
8 the public policy of New Mexico to regulate the establishment,
9 operation and maintenance of junkyards in areas adjacent to the
10 interstate and primary highway systems; and

11 WHEREAS, the department of transportation promulgates
12 rules to implement and enforce the Highway Beautification Act
13 and issues licenses to persons for the establishment, operation
14 or maintenance of junkyards; and

15 WHEREAS, the establishment, operation or maintenance of
16 any junkyard in violation of the provisions of the Highway
17 Beautification Act is a public nuisance, and the department of
18 transportation may cause the public nuisance to be abated; and

19 WHEREAS, junkyards must be screened by natural objects,
20 plantings, fences or other appropriate means so as not to be
21 visible from the main-traveled way of the interstate or primary
22 highway systems or otherwise removed from sight; and

23 WHEREAS, the department of transportation may require the
24 relocation, removal or disposal of junkyards that are not
25 properly screened; and

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1 WHEREAS, the beautification of New Mexico can be achieved
2 by enforcing compliance with the Highway Beautification Act;
3 and

4 WHEREAS, the department of transportation and the state
5 transportation commission should lead the effort to beautify
6 and clean up New Mexico's highways and vistas;

7 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
8 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the department
9 of transportation and the state transportation commission be
10 called on to strictly and rigorously enforce the provisions of
11 the Highway Beautification Act pertaining to junkyards in order
12 to keep New Mexico's highways and vistas beautiful; and

13 BE IT FURTHER RESOLVED that the department of
14 transportation and the state transportation commission report
15 their progress in enforcing compliance with the Highway
16 Beautification Act to the appropriate interim legislative
17 committee by November 1, 2005; and

18 BE IT FURTHER RESOLVED that copies of this memorial be
19 transmitted to the secretary of transportation and the
20 chairperson of the state transportation commission.